

**Curtis R. Rawlings, Esq.**  
Nevada Bar No.: 6790  
**Susan E. Gillespie, Esq.**  
Nevada Bar No. 15227  
**BURGER, MEYER & D'ANGELO, LLP**  
725 S 8th Street, Suite 200  
Las Vegas, NV 89101  
**MAILING ADDRESS:**  
999 Corporate Dr., Suite 225  
Ladera Ranch, CA 92694  
Telephone: (949) 427-1888  
Facsimile: (949) 427-1889  
Email: [crawlings@burgermeyer.com](mailto:crawlings@burgermeyer.com)  
[sgillespie@burgermeyer.com](mailto:sgillespie@burgermeyer.com)

Attorneys for Defendant  
WALMART, INC.

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

FABIOLA FRAGOSO, individually;  
Plaintiff,  
vs.

WAL-MART, INC., a foreign corporation;  
DOE EMPLOYEES; DOE MANAGERS;  
DOES I-XX, inclusive; and ROE  
CORPORATIONS I-XX, inclusive,  
Defendants.

Case No.: 2:22-cv-01507-CDS-EJY

**STIPULATION AND ORDER TO  
EXTEND JOINT PRETRIAL ORDER  
DEADLINE (FOURTH REQUEST)**

Pursuant to LR IA 6-1, the parties, by and through their respective counsel of record, hereby stipulate and request that this Court extend the Joint Pretrial Order deadline in the above-captioned matter. Good cause exists to extend the remaining deadline for the reasons outlined herein.

**A. Reason For the Requested Extension**

On December 6, 2024, this Court entered an Order Granting in Part Defendant's Motion for Summary Judgment and Denying Plaintiff's Motion for Summary Judgment. Accordingly, the stay on deadline to file the Joint Pretrial Order was lifted and, pursuant to LR 26-1 (b)(5), the

1 deadline for filing said Order became January 6, 2024. The parties filed a Stipulation to Extend  
2 Joint Pretrial Order Deadline (First Request) on December 16, 2024 (ECF 62). On the same day,  
3 the Stipulation to Extend was granted (ECF 63). On January 14, 2025, Defendant filed a  
4 Stipulation and Order for the Substitution of Counsel (ECF 64). On January 15, 2025, Defendant's  
5 Stipulation and Order for the Substitution of Counsel was granted (ECF 65). On January 31, 2025,  
6 the parties filed a Stipulation to Extend Joint Pretrial Order Deadline (Second Request). On the  
7 same day, the Stipulation to Extend was granted (ECF 69). On March 6, 2025, the parties filed a  
8 Stipulation to Extend Joint Pretrial Order Deadline (Third Request). On the same day, the  
9 Stipulation to Extend was granted. (ECF 71).

10 Since the granting of the last extension to extend the Joint Pretrial Order deadline, the  
11 parties have worked diligently to review and prepare all of the documents, transcripts and exhibits  
12 in this matter. Additionally, additional defense counsel was assigned to handle this matter and has  
13 been attempting to get up to speed on the voluminous documents, pleadings, exhibits, and  
14 documents generated throughout discovery, and on April 2, 2025, Defendants filed a Notice of  
15 Association of Counsel (ECF 72). The parties have been in contact through the entire process and  
16 have agreed on a second mediation which is currently scheduled for May 29, 2025 in an attempt to  
17 resolve this matter without the need of preparing for trial.

18 The additional requested time will allow the parties to participate in a second mediation in  
19 good faith. The parties are also scheduling a meet and confer prior to the mediation so that if  
20 mediation fails, a Joint Pretrial Order can be immediately completed and filed with this Court.

#### 21 **B. Proposed Revised Pretrial Order Schedule**

22 The Joint Pretrial Order is due on April 9, 2025 and the parties are requesting an  
23 extension moving the deadline to June 5, 2025. This request for an extension of time is not sought  
24 for any improper purpose or other purpose of delay. Rather, it is sought by the parties solely  
25 for the purpose of allowing the parties to participate in a second mediation scheduled for May 29,  
26 2025. If the parties do not reach an agreement, the Joint Pretrial Order will be immediately filed  
27 given that a meet and confer will be scheduled prior to the mediation date. The parties respectfully  
28

1 submit that the reasons set forth above constitute compelling reasons and good cause for the  
2 extension.

3 WHEREFORE, the parties respectfully request that this Court extend the deadline for  
4 submitting their Joint Pretrial Order from the current deadline as outlined above.

5  
6 DATED this 3<sup>rd</sup> day of April, 2025.

DATED this 3<sup>rd</sup> day of April, 2025.

7 **BURGER, MEYER & D'ANGELO, LLP**

**BLACKBURN WIRTH, LLP**

8 */s/ Curtis Rawlings*

*/s/ Ash Marie Blackburn*

9 \_\_\_\_\_  
CURTIS RAWLINGS ESQ.  
Nevada Bar No. 6790  
10 SUSAN E. GILLESPIE, ESQ.  
Nevada Bar No. 15227  
11 725 s. 8th Street, Suite 200  
Las Vegas, NV 89101  
12 *Attorneys for Defendant*

\_\_\_\_\_

ASH MARIE BLACKBURN, ESQ.  
Nevada Bar No. 14712  
TYLER A. BIXBY, ESQ.  
Nevada Bar No. 16679  
6018 S. Fort Apache Road, Ste. 150  
Las Vegas, NV 89148-5652  
*Counsel for Plaintiff*

13  
14  
15  
16  
17  
18 **ORDER**

19 **IT IS SO ORDERED.**

20  
21 DATED this 3<sup>rd</sup> day of April, 2025.

22  
23   
24 **UNITED STATES MAGISTRATE JUDGE**